

ENTERED

October 05, 2016

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISIONCHARLES RAY BAILEY,
TDCJ #01486071,

Plaintiff,

VS.

AMUCHE UDEMEZUE, *et al*,

Defendants.

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CIVIL ACTION NO. 3:14-CV-62

ORDER OF DISMISSAL

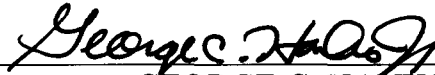
Plaintiff, Charles Ray Bailey (TDCJ #01486071), is an inmate in the custody of the Texas Department of Criminal Justice - Correctional Institutions Division ("TDCJ"). While incarcerated in the Darrington Unit of TDCJ, Bailey filed a complaint under 42 U.S.C. § 1983 alleging that three prison guards retaliated against him for filing grievances (Dkt. 1). His complaint only seeks declaratory relief (Dkt. 1 at p. 4).

According to the TDCJ website, Bailey has been transferred from the Darrington Unit to the Ramsey Unit. His claims are therefore moot. *See Herman v. Holiday*, 238 F.3d 660, 665 (5th Cir. 2001). "If a claim is moot, it presents no Article III case or controversy, and a court has no constitutional jurisdiction to resolve the issues it presents." *National Rifle Ass'n of America v. McCraw*, 719 F.3d 338, 344 (5th Cir. 2013) (quotation marks omitted). This Court therefore lacks jurisdiction over this action.

Based on the foregoing, this case is **DISMISSED** without prejudice for lack of subject matter jurisdiction, and all pending motions are **DENIED**.

The Clerk of this Court shall send a copy of this Order to the parties.

SIGNED at Galveston, Texas, on October 5, 2016.

A handwritten signature in cursive script, reading "George C. Hanks, Jr.", written over a horizontal line.

GEORGE C. HANKS, JR.
UNITED STATES DISTRICT JUDGE